

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

*ALL THIRD PARTY PAYOR ACTIONS*

MDL 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

REPLY MEMORANDUM IN SUPPORT OF  
MOTION FOR APPROVAL OF OPT OUTS FROM TPP CLASS ACTION  
SETTLEMENT, OR IN THE ALTERNATIVE,  
FOR LEAVE TO FILE LATE OBJECTIONS

Undersigned counsel for two Third Party Payors (“TPPs”), OPCMIA 526 Combined Funds, f/k/a Cement Masons Local No. 526 (“**OPCMIA 526**”) and IBEW Local 126 Health & Welfare Fund (“**IBEW 126**”), and one school district, Big Spring School District (“**Big Spring**”) (collectively, the “**Late TPP Opt Outs**”) hereby file their omnibus reply, attached hereto and incorporated herein, to the two briefs filed in opposition<sup>1</sup> to their Motion for Leave of Court to allow their late opt outs from the TPP Class Action Settlement (Motion for Leave at ECF 5824).

December 27, 2024

Respectfully submitted,

/s/Donald E. Haviland, Jr.

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<sup>1</sup> On Friday, December 20, 2024, two responsive briefs were filed by Opponents, one by “Class Plaintiffs” (*ie.* Interim TPP Settlement Class Counsel) (ECF 5831) and the other by Settling Distributors (ECF 5830). Because the briefs largely repeat arguments in opposition, Late TPP Opt Outs hereby file this Omnibus Memorandum addressing all arguments in one reply brief.

And

/s/ Angela M. Lavin

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*Attorneys for certain members of the TPP  
Settlement Class*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing *Reply* was filed electronically with the Court this 27th day of December 2024. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Angela M. Lavin

*One of the Attorneys for certain members of the  
TPP Settlement Class*